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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,141	03/30/2001	Yevgeniy Eugene Shteyn	US0181043	8655

7590

05/17/2005

Corporate Patent Counsel  
U.S. Philips Corporation  
580 White Plains Road  
Tarrytown, NY 10591

EXAMINER

ALI, SYED J

ART UNIT

PAPER NUMBER

2195

DATE MAILED: 05/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,141

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examiner

Syed J. Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7 and 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7 and 10-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/13/02</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This office action is in response to the amendment filed February 28, 2005. Claims 1, 3-7, and 10-18 are presented for examination.
2. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

### ***Drawings***

3. The drawings are objected to because they are faxed copies that are difficult to decipher. In particular, the images appear shaded to the point of illegibility. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheets should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any

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required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Claim Objections*

4. Applicant is advised that should claim 7 be found allowable, claim 12 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

*Claim Rejections - 35 USC § 102*

5. **Claims 1, 3-7, 10-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Fernandez et al. (USPN 6,697,103) (hereinafter Fernandez).**

6. As per claim 1, Fernandez teaches the invention as claimed, including a task management system for use in a home environment for managing a task scheduled in advance (col. 4 lines 17-22) and involving a user moving an object from a first location to a second location (col. 2 lines 13-20), the system comprising:

- (a) a tag attached to said object (col. 5 lines 46-57);
- (b) a first sensor fixedly positioned in a path of travel of said object from said first location to said second location (col. 3 lines 60-67), said first sensor configured to:

- (i) remotely sense the presence of said object at a first intermediate location between said first and second locations via said tag attached to said object (col. 3 lines 55-57; col. 6 lines 5-10);
  - (ii) transmit a first signal responsive to the remote sensing of the presence of said object at said first intermediate location between said first and second locations (col. 6 lines 16-23, 30-32, 50-52);
  - (iii) remotely sense the absence of said object at said first intermediate location between said first and second locations via said tag attached to said object, subsequent to said transmission of said first signal (col. 3 lines 60-67; col. 6 lines 5-10); and
  - (iv) transmit a second signal responsive to the remote sensing of the absence of said object at said first intermediate location between said first and second locations (col. 6 lines 16-23, 30-32, 50-52);
- (c) scheduling means configured for scheduling said task (col. 4 lines 17-22; col. 9 lines 26-32);
- (d) monitoring means for:
  - (i) receiving and processing said first and second signals transmitted from said first sensor (col. 2 line 54 - col. 3 line 15; col. 3 lines 43-54);
  - (ii) generating a reminder message for display to said user to perform said scheduled task (col. 4 lines 17-20; col. 9 lines 26 - col. 10 line 4);

(iii) automatically removing said reminder message upon receiving said second signal from said first sensor indicating completion of said scheduled task (col. 4 lines 20-22; col. 9 lines 26-38).

7. As per claim 3, Fernandez teaches the invention as claimed, including the system of claim 1, further comprising software means for enabling the user to program the scheduler (col. 5 lines 5-13; col. 6 lines 43-49).

8. As per claim 4, Fernandez teaches the invention as claimed, including the system of claim 3, wherein the scheduler is remotely programmed with data received from a remote server via a data (col. 9 lines 47-54).

9. As per claim 5, Fernandez teaches the invention as claimed, including the system of claim 1, further comprising a second sensor configured to:

remotely sense the presence of said object at a second intermediate location between said first and second locations (col. 3 lines 60-67; col. 6 lines 5-10);

cooperate with the first sensor and said monitoring means to determine the direction of movement of the object along the path of travel (col. 7 lines 56-67; col. 12 lines 4-19).

10. As per claim 6, Fernandez teaches the invention as claimed, further configured to manage multiple conditionally interrelated tasks (col. 9 lines 39-54).

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11. As per claim 7, Fernandez teaches the invention as claimed, including the system of claim 1 wherein said monitoring means is incorporated as a functional part of a home network of said user (col. 4 lines 3-10).

12. As per claim 10, Fernandez teaches the invention as claimed, including the system of claim 7, wherein said home network further comprises computer code on a computer readable medium for use on said home network, said computer readable code configured for:

receiving first input data associated with a presence of an object (col. 3 lines 55-57; col. 6 lines 5-10),

receiving second input data representative of a scheduled task involving a user moving the object (col. 2 line 54 - col. 3 line 15; col. 3 lines 43-54), wherein the computer readable code comprises a scheduler application for generating output data for alerting the user to the task responsive to the reception of said first and second input data (col. 4 lines 17-20; col. 9 lines 26 - col. 10 line 4).

13. As per claim 12, Fernandez teaches the invention as claimed, including the system of claim 1 wherein said monitoring means is a component of a home network (col. 4 lines 3-10).

14. As per claim 13, Fernandez teaches the invention as claimed, including the system of claim 12 wherein said home network is wirelessly linked to a mobile computing device (col. 1 lines 33-36).

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15. As per claim 18, Fernandez teaches the invention as claimed, including the method of claim 1, wherein said tag is programmable for identifying different objects via said first sensor (col. 5 lines 46-57):

16. As per claim 11, 14, 15, 16, and 17, Fernandez teaches the invention as claimed, including a method of providing a service to a user of a task management system for use in a home environment, the system enabling the user to manage a task scheduled in advance, the task involving the user moving an object from a first location to a second location, the method comprising the acts performed by the system of claims 1, 5, 4, 3, and 7, respectively (col. 1 lines 33-50).

### *Response to Arguments*

17. **Applicant's arguments with respect to claims 1, 3-7, and 10-18 have been considered but are moot in view of the new grounds of rejection.**

### *Conclusion*

18. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed J. Ali whose telephone number is (571) 272-3769. The examiner can normally be reached on Mon-Fri 8-5:30, 2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai T. An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Syed Ali  
May 5, 2005



MENG-AI T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100